IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2771 of 2004

For Approval and Signature:

HON'BLE MR.JUSTICE D.N.PATEL

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

VALIBEN NARSINHBHAI PATEL

Versus

REGIONAL PASSPORT OFFICER

Appearance:

MR PT JASANI for the Petitioner.

Ms. Dharmistha Rawal, for the Respondent.

CORAM : HON'BLE MR.JUSTICE D.N.PATEL

Date of decision: 09/07/2004

ORAL JUDGEMENT

Rule. Learned Senior Standing Counsel for the Central Government waives service of notice of Rule for the respondent. The petitioner has preferred this

petition under Article 226 of the Constitution of India, whereby, he seeks a direction against the respondent authority to carry out necessary change in the date of birth of the petitioner in the passport, on the basis of the document placed at Annexure "A" to the petition.

2. Learned counsel appearing for the respondent authority submits that no error has been committed by the respondent authority and that the date of birth mentioned in the passport was in accordance with the representation made by the petitioner.

3. Looking to the facts and circumstances of the case, the respondent authority is directed to carry out necessary change in the date of birth of the petitioner in the passport, after verifying the genuineness and the correctness of the document which may be produced before it. As the error has been committed by the petitioner, the petitioner is directed to deposit the costs of Rs. 5000/- (Rs. Five thousand) with the respondent authority. The petitioner is permitted to withdraw the amount already deposited with the Registry of this Court.

4. The petition is accordingly allowed to the aforesaid extent. Rule made absolute. Direct service permitted.

(D.N.Patel,J)

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